

Patent  
Attorney's Docket No. 003300-765

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kjell OLMARKER *et al.*

Application No.: 09/826,893

Filed: April 6, 2001

For: USE OF CERTAIN DRUGS FOR  
TREATING NERVE ROOT INJURY

Group Art Unit: 1614

Examiner: Unassigned

1614  
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**INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

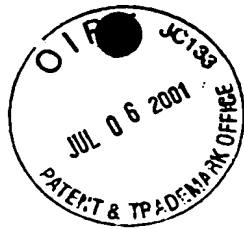
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Date: July 6, 2001

By: 

Mercedes K. Meyer  
Registration No. 44,939



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**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited below is enclosed.

**U.S. PATENT DOCUMENTS**

U.S. Patent No. 6,177,077 to Edward L. TOBINICK, issued 23 January 2001;  
U.S. Patent No. 6,015,557 to Edward L. TOBINICK *et al.*, issued 18 January 2000;  
U.S. Patent No. 5,703,092 to Chu-Biao XUE *et al.*, issued 30 December 1997;  
U.S. Patent No. 4,925,833 to Thomas F. McNAMARA *et al.*, issued 15 May 1990; and  
U.S. Patent No. 4,666,897 to Lorne M. GOLUB *et al.*, issued 19 May 1987.

**OTHER DOCUMENTS**

U. SCHLUMPF *et al.*, "Acute Lumbar Disk Displacement with Nerve Root Compression. Indications for Peridural Steroid Injection", SCHWEIZERISCHE RUNDSCHAU FUR MEDIZIN PRAXIS, (1997 Feb 18) 86 (8) 292-5 (Abstract of STN International, File MEDLINE, Accession No. 97218877);

S. SCHENK *et al.*, "Intrathecal Cortison Injection in Lumbar Disc Problems", ARCHIV FUR ORTHOPADISCHE UND UNFALL-CHIRURGIE, (1976 Jun 18) 85 (1) 21-31 (Abstract of STN International, File MEDLINE, Accession No. 76231109);

D. PENNICA *et al.*, "Cardiotrophin-1, a Cytokine Present in Embryonic Muscle, Supports Long-Term Survival of Spinal Motoneurons", NEURON, (1996 Jul) 17 (1) 63-74 (Abstract of STN International, File MEDLINE, Accession No. 96310878);

C. SOMMER *et al.*, "A Metalloprotease-Inhibitor Reduces Pain Associated Behavior in Mice with Experimental Neuropathy", NEUROSCIENCE LETTERS, (1997 Nov 14) 237 (1) 45-8 (Abstract of STN International, File MEDLINE, Accession No. 98068711);

C. SOMMER *et al.*, "The Effect of Thalidomide Treatment on Vascular Pathology and Hyperalgesia Caused by Chronic Constriction in Injury of Rat Nerve", PAIN, (1998 Jan) 74 (1) 83-91 (Abstract of STN International, File MEDLINE, Accession No. 98173500);

J. KRAEMER *et al.*, "Lumbar Epidural Perineural Injection: A New Technique", European Spine Journal, (1997) 6/5 (357-361) (Abstract of STN International, File MEDLINE, Accession No. 97339851);

K. OLMARKER *et al.*, "Inflammatogenic Properties of Nucleus Pulposus", Spine, 1995 Mar 15;20(6):665-0 (Abstract of STN International, File MEDLINE, Accession No. 95328017);

K. OLMARKER *et al.*, "Tumor Necrosis Factor Alpha and Nucleus-Pulposus-Induced Nerve Root Injury", Spine, (1998 Dec 1) 23 (23) 2538-44 (Abstract of STN International, File MEDLINE, Accession No. 99071916);

K. OLMARKER *et al.*, "Effects of Methylprednisolone on Nucleus Pulposus-Induced Nerve Root Injury", Spine, Vol. 19, No. 16, pp. 1803-1808 (1994); and

W. MIXTER *et al.*, "Rupture of the Intervertebral Disc with Involvement of the Spinal Canal", New England Surgical Society, Vol. 211, No. 6, pp. 210-215, Aug 1934.

The documents are being submitted within 3 months of the filing or entry of the national stage of this application and before the first Office Action on the merits, therefore no fee or certification is required under 37 C.F.R. § 1.97(b).

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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